

K. Burnet (1)
**The Bishop of Salisbury's SPEECH in the
House of Lords, upon the Bill against Occasional
Conformity.**

699-4
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My LORDS,

Am very glad to find, that how much Heat soever this Matter has raised Abroad, yet none of that has appeared in all this Debate. If a Heat of Zeal has appeared in Some, yet Nothing has been mixed with it Unbecoming the Dignity of this House, and the Solemnities of a Great Council. It is a disadvantage, especially to One of this Bench, to speak against any thing, that in the Sound and first appearance, seems to be intended for the Service of the Church: And I am sure, if I were not fully convinced that it is not so; but that how well soever it may be intended by me, the Effects of it will be quite contrary; I could not have a Heart or Face to speak against it; but could promote it with all possible zeal.

I confess, I am already bound up to this Particular; and determined to a Promise solemnly made to the Queen. Her Majesty Recommended this Bill to Us with a peculiar Vehemence of Style, when She said, *She intended Words* to express how Earnest She desired to see Union and a good Agreement among Her Subjects. I am sure we must All want to express a due Sense of that Royal Tendernefs and Care of It Our Address to Her Majesty,

We promised not only to Avoid, but to Oppose every Thing that might tend to create Disunion and Discord. And I do freely own, that I had then this very thing in my Thoughts, as I believe a great many Others had; and therefore I look on my self as under an Obligation now to perform what I then promised.

I know, some of *Our Order*, as well as my self in particular, have been very indecently, and, I hope, very unjustly too, treated in many Printed Libels, upon this very Account; as if we were Enemies to the Church, because we cannot think this Bill is for its Service. The Station we are in sets us above the answering every spiteful Writer. But next to the Queen, we owe it to your Lordships, to satisfy You, if any thing sticks with You. We hope we may appeal to the World, and to our Dioceses in particular, whether our Labours do not shew a true Zeal for the Church in all its Concerns. We are the Disciples of the Cross, and must go thro' good Report, and ill Report; but we hope we are so well known, and have lived so long in a Publick Scene, and have acted such a Part on it, that we may reckon our selves above such Calumnies. Even St. Paul said, *He became a fool in glorying*; but it was when others compelled him to it.

48 We must freely own, that there have been such Severities among us in every Reign since the Reformation, that these are Blemishes not easily wiped off. The Burnings in 6 K. *Edward's* Reign, are the Reproach of that Time. The Capital Proceedings in Q. *Elizabeth's* Reign, and the Severe Act in the 35th Year of it, that punishes Meetings with Imprisonment, Banishment, and Death, are Blemishes even on that Long and Glorious Reign. The Repeal of that Act past in Both Houses in K. *Charles's* time; and it is known by what Management it was, that it was not tendered to the Royal Assent. The Mention of Q. *Elizabeth's* Reign, leads me to take notice of what has been said with Relation to the Maxims by which She governed Her Self, as if She had been inflexibly steady in the Observation of the Laws, in Matters of Religion: It is 41 certain, that She treated the Papists all along with a very particular Indulgence. She would have the Peers excused from the Obligation to take the Oath of Supremacy. She employed Papists in all Her Affairs: They were Privy-Councillors and Lords Lieutenants. Her Lord-
The Marquis of Winchester. Treasurer protested against all the Acts for the Reformation; and was known to be 72 a Church-Papist, or an Occasional Conformist; and yet he continued in that great Post Fourteen Years, till he died. She encouraged the Occasional Conformity of Papists, and apprehended no Danger in that, even from them: And yet I hope, it will be acknowledged, that there was more reason to be afraid, considering both

their Numbers, and the Hopes they had for many Years of a Popish Successor, than we have now to be afraid of the Dissenters. She encouraged Occasional Conformity in the former, and no body was uneasy at it: But the Pope saw what it was like to end in, and therefore he took care to put a Stop to it.

The Severities in King *James's* Reign cast a Blot on it: And the Proceedings in the *Star-Chamber*, and the *High-Commission*, in His Son's Reign, are set forth by a Noble Historian, as Things that did not a little contribute to bring on us the Miseries of a Civil War. The Proceedings in King *Charles II.* Reign were Severe, and set on with bad Designs. That in a Time both of War and of a Plague, such an Act as the Five Mile Act should have passed, will amaze all that do not know the Secrets of that Time. Soon after the Restoration, it had been a very easy thing to have made up all Differences among us; but the Design was to enflame them; and that Matter was driven; as we all know.

The Earl of *Bristol* upon that, called together a Meeting of the Chiefs of the Papists; and tendered them an Oath of Secrecy, as the *Ld. Stafford* told me in the *Tower*. He told likewise at the Bar of this House: He then told them, that the Breach between the Church and the Dissenters was now fixed; and would be carried further. It was therefore their Interest to make use of all the Provisions the Dissenters might make with, and to offer their Assistance to them, in order to the engaging the

to petition for a General Toleration; yet they could never be brought to it. When the Declaration for a General Toleration in 72 was questioned in Parliament, which brought on the Act of the *Test*, set forth in the Preamble of this Bill, the Lord *Clifford* got some to move for a Clause in favour of the Dissenters, hoping that would have provoked either the one Side, or the other; and that either the Church Party might be offended with the Motion, or the Dissenters with refusing it: That was stopt by Alderman *Love*, who desired, That though his Own Perswasion was well known, yet that nothing with relation to them might intervene, to stop the Security that the Nation and the *Protestant* Religion would have by that Act: In this he was seconded by most of that Party; so that this Act was obtained in some measure by their Assistance, and therefore it would be hard to turn it against them. The King was then highly offended with them for their giving up His Declaration: This wrought so much on that House, that was so zealous for the Church, that they ordered a Bill to be brought in for the ease of *Protestant* Dissenters, in which little progress was indeed made; yet to the end of that Parliament, tho Conventicles were held very publicly, they never passed a Vote, or made an Address against them.

In the end of King *Charles's* Reign we all remember that a new Prosecution of them was set on foot; and even then when the Severities against them were very hard, they were so-

licitated by the Agents of the Court; to petition for a General Toleration; but they could not be prevailed on. What some of them did in King *James's* Reign is well known, and cannot be excused. By all this we see, that the whole Management, with Relation to Dissenters, was an Artifice to advance a Popish Interest, which must needs give a just Jealousie of every thing that looks that way. After the late King had delivered us from all our Fears and Dangers; to whose Memory (let Ungrateful and Malicious Men treat Him as they please) we owe Our present Happiness, and that we are now sitting here, His next Care was to secure the Church of *England* by the Act of Toleration; which has not only set the Dissenters at Ease, but has made the Church both stronger and safer: Since God has so blessed Our Labours, that we see that the Dissenters lose as much Strength as we do gain by it.

The Heat raised by those Dissentions is much allay'd, and their Numbers are abated, by a moderate Computation, at least a Fourth part, if not a Third part. But now they are alarum'd, and begin to put on more Zeal, for they apprehend the Toleration is aimed at: And that how little soever seems to be in this Bill, it is a Step, and will be followed by more that are kept in reserve till this Point is once gained. The next Step may be for their Wives and Children; and so the Matter may be carried on till the whole Toleration is broke through. If one picks at a great Dike that keeps out the Sea,

it will be thought, how small a Breach soever he makes at first, that he designs a total Inundation. This seems to weaken and shake the Toleration : So Men will grow jealous, and be on their guard : And by this means we of the Church shall not have so free and so unsuspected an Access to work on their Reasons, which we now do with so much Success, when once their Passions are kindled against us.

The Present State of our Affairs make this yet more unseasonable : It is a Common Maxim, followed even by Persecutors, to keep things quiet at home, when Nations are engaged in War ; especially in such a War as this, which is for Universal Monarchy, where all is at stake. There may happen great Accidents in War, and it is no way advisable to raise Discontents or Apprehensions in great numbers at home, which may come to have very ill Effects, when we are in no good Condition to deal with them. I knew somewhat of Foreign Affairs, during the first six or seven Years of the last Reign ; it was then the common Topick of the Agents of *France*, in the Courts of our Allies, That *England* was so disjointed by Factions at home, that there was no trusting to it. No doubt the same Arts are now practised. *Portugal* and *Savoy* are two Allies of the greatest Consequence to us, who have no Strength to resist the Force that will be poured in upon them, but as they hope to be supported by the Treasure, the Fleet, and the Assistance of *England*. Any thing that divides and weakens us, must

give them a melancholy Prospect and may make very dangerous Impressions on them : Whereas our Union at home, and the maintaining the Happy Calm the Nation is now in, will incline them to depend more firmly on our Treaties with them.

Some things give a just Suspicion when the Men who promote them and write for them without doors are the known and avowed Enemies to the Government ; who deny the Queen's Title, and are looking to one beyond Sea. Can we think that those who separate from Our Church, and have raised a Schism in it, can be zealous for the Peace and Order of the Church ? They are zealous for somewhat else, and therefore we may well believe their Zeal in this Particular is with a view to that, to which they are driving. One Author who has writ two Books in behalf of this Bill, is known to be the fiercest *Jacobite* in *England*, and does not conceal it even in those Books : In one of these he says he is one called a *High Churchman*.

These are new Terms of Distinction, raised on Design to distract us yet more : I know no *High Church* but the Church of *Rome* : And that Author, *L^{dy}*, has in another Book shewed us how near he comes to that Church, when he proposes, That Treaty may be set on foot between Our Convocation, and the Assembly of the Clergy of *France*, and that we should abate the Regal Supremacy and they the Papal, and then he fancyes all other Matters would be easily adjusted. So here we see who are to be called *High Church*. Our Legislature

establishment founded upon the Primitive Pattern, is the true measure of the Church; and those who rise above it are as much out of the way, as those who fall below it. I knew some of the Eminentest *Papists* of the age, who used often to say, he was the *Church of England as by Law established*: I took the Liberty to ask him, How such a Profession did agree with his Sincerity? He answered, he looked on the Laws of Queen *Mary* yet in full force; for he thought Queen *Elizabeth* who repealed them, had no more Right to the Crown than *O. Cromwel* had; so that Her laws were no Laws. I confess, since that time, I have been jealous when I heard some Persons pretend to much zeal for the *Church of England as by Law established*.

The Fury with which this Matter is driven, does heighten the Jealousie: that great Matters could this Bill produce, if there were not somewhat for it? How comes it that our Church should be so indecently treated, because we cannot all of us think it reasonable, and do not apprehend that we need it? We have in the whole course of our Lives adhered to the Interest of the Church, at all Periods, and in all Times, without ever dissenting in any Particular, leaning to Dissenters; and yet we who have been our whole Life long, by our Labours and our Writings building up the Church, must now be deemed as the Underminers of it, because we cannot comply with other Men's Notions. The Head of our Church is misrepresented, with as much justice as Virulence, though he

stood as in the Front of the Church in the most Dangerous Times. Stories are made, and publicly reported of him, which are not so: I love not to use harder Words. This could be the better born, if it were not for the Relations and Dependencies of those who vent them.

I myself have met with a large share of such Treatment; tho' in no one Step or Part of my Life I ever gave the least occasion for it. When I wrote the *History of the Reformation*, for which I had the Thanks of this House, I was then under no Byass; I had neither Favour nor Interest to tye me: So that I wrote purely what was my own Sense of Things: And yet I took care to mark all the first beginnings of Nonconformity, all the Grounds they went on, and all the Colours that imposed on them, and have shewed the Mistakes and Weakness of every one of them, with an Honesty and Zeal that ought to set me beyond Suspicion. But I own I began the World on a Principle of Moderation, which I have carried down through my whole Life, and in which I hope I shall continue to my Life's end. There was a time when those who are now so furious, and perhaps so full of hopes, needed my Service, and I had some Credit, which for some Years was chiefly employ'd in their behalf: Your Lordships may remember with what Vehemence I pleaded for excusing the Deprived Bishops from the Oaths. Others were then, and are now in great Posts, who I am confident will do me the Justice to own, that I was then the Common Agent both for *Papists* and *Jacobites*.

bites in distress; for which we are now so ill rewarded.

40 I hope I have learned to make the Rule, of doing to all others what I would have others do to me, the measure of my whole Life. I wish 47 all Persons, with relation to this matter, would do as they would be done by. The Time was, that for some 56 Years I expected to fall under the Cruelty of that Persecuting Church of Rome; and it was then no small Comfort to me, that I had never been guilty of doing any thing like that to others. I do not know whether that Danger is not yet in view: By the Grace of God I will never deprive my self of this Comfort, That how hardly soever I may be treated by others, I shall never treat any hardly in Matters of Conscience.

But now to speak to the Title of the Bill *Occasional Conformity*: I cannot in the General condemn this, but as it is accompany'd with Error and Mistake in the Particular Instance.

57 I my self was an *Occasional Conformist* 78 in Geneva and Holland; I thought their Churches were irregularly formed, under great Defects in their Constitution; yet I thought Communion with them was lawful, for their Worship was not corrupted: But at the same time I continued my Communion with our own Church, according to the *Liturgy* of this Church, with all that came about me. And if the Designs of some of those without Doors, who are the Promoters of this Bill, should be brought about, if among other unpardonable People, I should not be at first knock'd on the Head, but should be driven be-

yond Sea, I in that case would communicate with the Foreign Church but would likewise gather all of Church about me, and still continue to worship God according to the *Liturgy* to my Lives end. And I think an *Occasional Conformity* with a less perfect Church may well consist with the continuing to worship God in a more perfect one.

It remains then a Point of Opinion, which Church or Society is more, and which is the less perfect. This I am very sure Our Church is more perfect and regular, and the Separation is formed upon Error and Mistake, and that true Edition is among us, and not among them. But some of them by an happy Education think otherwise. And in this they are certainly in blame, as they are in every part of the Separation: But if it is intended to tolerate them under their other stakes, I do not see why this should not be tolerated likewise; since much less dangerous than their Practices that are not at present complained of. The Noble Historian whom you are now all reading much pleasure, finds great fault with those who did not go to the Foreign Churches, even when they had an Ambassador's Chappel to reform, tho' this was certainly an *Occasional Conformity* with a less perfect Church, where there was no objection to go to it, and when they had a more perfect one at hand.

It has been a Topick insisted on by all who have writ against the dissenters, from the first beginning of these Disputes down to the present

they have been always called
to come as near the Church as
they could, and to do all that they
could do with a Good Conscience :
and therefore before the Wars, great
reference was made between the Pu-
ritan, and the *Brownists* or *Separatists*,
on this very account: But now all
is reversed, the *Separatists* are well
looked on; whereas those who come
much nearer us, are discouraged;
so we do all see that this is a Step
which many come over entirely
to us, and the Children of others do
enter into a constant Communion
with us. And shall we go to cast a
scandal on this, or discourage it! In
my Diocese, those who are Occasio-
nal Conformists out of Principle,
do come sometimes to Church, and
sometimes to Meetings, are with-
out number; who yet have no Of-
fence, and seem to pretend to none. I
confess, I do not desire to press it hard
on them, that they may not do
so; lest this, instead of keeping
them from Meetings, hinder them
from coming to Church. I have heard
of One in Office in my Diocese,
who goes to Meetings; and that is
only to a Weekly Lecture. There-
fore since *Occasional Conformity* is on-
ly to be blamed, when it goes upon
an Error and a Mistaken Principle;
I do not see why it should be worse
treated than the other Errors that are
now tolerated; for 'tis that of all the
other Errors, which has done the
greatest Service to the Church.

I now come next to the Bill it self.
I find a Preamble here, that was in
the former Bill, in favour of Tolera-
tion; which is now left out. I con-

·fess, I do not know how it came to
·be there; for it did not very well a-
·gree with the Bill; especially as it
·was at first sent up to us. It put one
·in mind of a Clause in the Sentence 74
·of the Courts of Inquisition. When
·a Heretick is condemned, and deli-
·vered to the Secular Arm, they con-
·jure the Magistrate, by the Mercies
·of God, and the Bowels of Jesus
·Christ, that no Harm be done to the
·obstinate Heretick, neither in Life,
·nor in Limb. But all this is Farce; for
·he is to be burnt immediately. These
Words, put in the Preamble, were a
Solemn Declaration, that could not
have been forgot; if other Matters had
been afterwards offered at: They are
now left out, with great Sincerity, no
doubt; for those who do not intend to
maintain the Toleration, act a very ho-
nest part, when they will not profess it.

I know it may be said, Let us put
in these Words, and stand to them;
But still this will not lay the Appre-
hensions that the leaving out those
Words must raise. As if the Original
Design of this Bill, was to strike at
the Toleration, and that therefore 77
those who have contrived it, would
not limit themselves by words of their
own Framing, tho' they may, to car-
ry their Point, consent to their be-
ing put in by others, to which they
do only give way; which they will
not think to be such a Tye on them,
as if they had of their own accord,
put them in, in the first Draught of
the Bill.

There are other Words in the Pre-
amble, that do not appear to me to
be well grounded. After the Two
Acts, the *Corporation-Act*, and the *Test-* 76
Act,

Act, are set forth, it is inferred, That it was intended, that all Men comprehended in them, *should be, and always continue to be*, of the Communion of the Church of *England*. By the first of these Acts, no Man could bear Office in a Corporation, unless he had received the Sacrament within a Year before: And by the other, he who had a Place of Trust, was to receive the Sacrament within Three Months after. So by these Acts, it is very true, that no Man might be in any Employment, who either *had not been, or was not then*, in the Communion of the Church: But there is not a Clause, nor a Word in either of these Acts, that import, that *he should always continue to be so*.

If the Clause once offered by us in this House, had been received, obliging such Persons to come to Church once a Month, and to receive the Sacrament once a Year; then this Intention would have been very plainly declared. But as it is, since no such Clause appears, I do not see how, in a Recital, we can affirm a Thing that has no Foundation. For how Unlimited soever our Enacting Power may be, yet in a Recital, a thing must either be as it is set forth to be, or all the Authority on Earth cannot make it to be otherwise than it is.

As for the Enacting Part, when at a proper Time a Bill shall be brought in, disabling all to hold any Employment, except those who continue to be in the Communion of the Church of *England*, I shall concur in it heartily; but for a Fine of Fifty Pounds, I cannot agree to it. That Punishment goes farther than Disabling. I cannot agree to any such Clause; nor is it consistent with the Act of Toleration, to lay a heavy Fine for going to a Meeting tolerated by Law. Nor can I consent to the reckoning the Foreign Churches that are tolerated among us, which are by Name excepted in the Act of Uniformity, among the Meetings of the Separatists from Our Church. This will have a strange Sound all the World over; and will be a mighty Discouragement to all abroad, who expect Deliverance and Protection from hence; when they understand that it is made so Criminal a Thing among us to worship God with their own and according to their Way.

For these Reasons, I think, this Bill ought not to be now entertained, but that the Subject-Matter of the Bill ought to be left to be considered at a more proper Time.

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